



**CITY of HOLLADAY
PLANNING COMMISSION
MEETING AGENDA**

**Tuesday May 3rd 2016
Council Chambers – 4580 S 2300 E**

AGENDA ITEMS

- 6:00 PM FIELD TRIP** – (Meet at City Hall) Site visits to properties listed on this agenda will take place during this time. The public is welcome to attend the field trip in their own vehicle(s). *No decisions will be made during the field trip.*
- 6:30 PM PRE-MEETING / WORK SESSION** - All agenda items may be discussed. No decisions will be made during this portion of the meeting.
Light Dinner will be served
- 7:00 PM CONVENE REGULAR MEETING**
1. Welcome & Chair Opening Statement

ACTION ITEMS

- 7:05 PM 2. Hedgewood Rezone Proposal (R-1-15 to R-2-8), 5751-5761 S Highland Dr. – Public Hearing**
Applicant, Lamar Gatherum, proposes to rezone .40 acres from R-1-15 (single family residential on 15,000sq. ft. lots) to R-2-8 (twin-unit residential on 8,000sq. ft. lots) for the purpose of residential redevelopment.
Staff – Jonathan Teerlink
- 7:35 PM 3. 2016 Minutes** – April 6th 2016

DISCUSSION ITEMS

- 8:00 PM 4. Miscellaneous Ordinance Amendments – Commission and staff discussion**

OTHER BUSINESS

-) General Plan Adoption Update
-) Report from Staff on upcoming applications
-) Discussion of possible future amendments to code

ADJOURN

On _____ at 2:00 pm a copy of the foregoing notice was posted in conspicuous view in the front foyer of the City of Holladay City Hall, Holladay, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. A copy was also faxed or emailed to the Salt Lake County Council, Cottonwood Heights City and Murray City. The agenda was also posted at city hall, Holladay Library, city internet website at www.cityofholladay.com and state noticing website at <http://pmn.utah.gov>.

Reasonable accommodations for individuals with disabilities or those in need of language interpretation service can be provided upon request. For assistance, please call 801-527-3890 at least 48 hours in advance.

TTY/TDD users should call 7-1-1



CITY OF HOLLADAY
Planning Commission

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Staff Report  
May 3 2013  
Item #2

*Project Name:* **Gatherum Rezone Proposal – 5751 & 5761 S Highland Drive**

*Application Type:* **Rezone R-1-15 to R-2-8**

*Nature of Discussion:* **Public Hearing, discussion, possible action**

*Planner:* **Jonathan Teerlink**

*Applicant:* **Lamar Gatherum**

*Public Notice:* **Mailed to all property owners within 500 feet**

### **BACKGROUND & SUMMARY**

Mr. Gatherum, a neighbor to Rob Reynolds on Hedgewood Court, desires to rezone approximately .40 acres of his land from R-1-15 to R-2-8. There are two total parcels of land improved with single family homes on each which are currently accessed from Highland Drive. The purpose of this rezone is to allow for higher density residential development (See potential layout graphic) of both parcels. Traffic is very heavy on Highland Drive at this location and is complicated by numerous driveway openings in the vicinity and traffic impacts of the elementary school next door. This property owner has “piggy backed” on the Reynolds petition, and has held a neighborhood meeting on 04/20/2016.

### **ANALYSIS**

**General Plan considerations:** The Highland Drive Master Plan (HDMP, “Plan”) includes these parcels in Segment B of the Plan. This is what the Plan says regarding land in Segment B:

b. For the mid-block sections of Segment B, where appropriate, higher-density (not high-density) single family uses such as the R-1-15, R-1-10, R-1-8 zones, and lower-density multi-family-residential zoning such as the R-2 zones should be given priority, in that order of preference. Any proposal for non-residential use within Segment B should not be approved unless the property owner demonstrates that there is no economically viable residential use for the property. No new R-M Zoning should be allowed in Section B.

c. When considering non-residential zoning, the depth of the zone should be appropriate to surrounding land uses. It should not generally reach beyond 200 feet deep from Highland Drive.



*Example of existing higher density  
Residential development.*

d. The impact of new development on existing residents should be thoroughly evaluated. Nuisance factors such as excess noise, light, and odors should be minimized with buffering measures.

According to the above, low density single family zoning, R-1-15, R-1-10 and R-1-8 are the highest priority along Highland Drive in Segment B, not R-2 zoning. Most of the recent residential rezones along Highland in the last few years, Phillips, Weekley, Pheasant Cove,

have been for R-1-8 or R-1-10. However, it does appear that R-2 is an option, just not the preferred one according to the Plan.

The PC may wish to explore this issue carefully prior to making a recommendation to the Council. Staff would suggest that understanding access points to the site(s), proposed building orientation, geometry, and neighborhood sentiment regarding the desired development of the parcels is fundamental. Staff would further recommend that the applicant(s) be questioned as to why R-1 zoning is not being proposed instead of R-2.

## **RECOMMENDATION**

Staff recommends the following:

1. Take public comment and evaluate it carefully.
2. Explore the HDMP as it relates to this proposal.
3. Explore with the applicant(s) and the public all angles related to the zone being requested including R-1 zoning.
4. Would the requested change in zoning benefit or harm the immediate area or the community as a whole, or not?
5. If there are benefits, what are they? Are they substantial enough to warrant a positive recommendation to the City Council?
6. If there are drawbacks, what are they? Are they substantial enough to warrant a negative recommendation to the City Council?

## **POSSIBLE MOTION AND FINDINGS TO APPROVE THE REQUEST:**

I motion that we recommend approval of the request to rezone at 5751 S and 5161 S Highland Drive from R-1-5 to R-2-8 upon the following findings/requirements:

1. The parcels in question are deteriorating and new development at this location is desirable and preferable to the present situation.
2. The proposed zoning, R-2-8, while not the highest priority in the HDMP, is not inappropriate at this location and is technically supported by HDMP language.
3. There are other high quality attached developments along Highland Drive similar to what is being proposed that are not a problem in the community.
4. Attached development provides an additional housing option to higher density multi-family development or single family homes.

## **POSSIBLE MOTION AND FINDINGS TO RECOMMEND CONTINUATION FOR FURTHER STUDY OR DENIAL:**

1. The petition is a lower priority for land use along Segment B of the HDMP. R-1 zoning is a higher priority and a justification for R-2 has not been made.
2. How the sites would be accessed has not been determined yet. Logical and safe access to property(s) has not been worked out.

**CONTACT PERSON:** Jonathan Teerlink

## **EXHIBITS**

- **Zone Map**
- **Hearing Notice**
- **Concept layout**
- **Applicant narrative**



CITY of HOLLADAY

## NOTICE OF PUBLIC HEARING

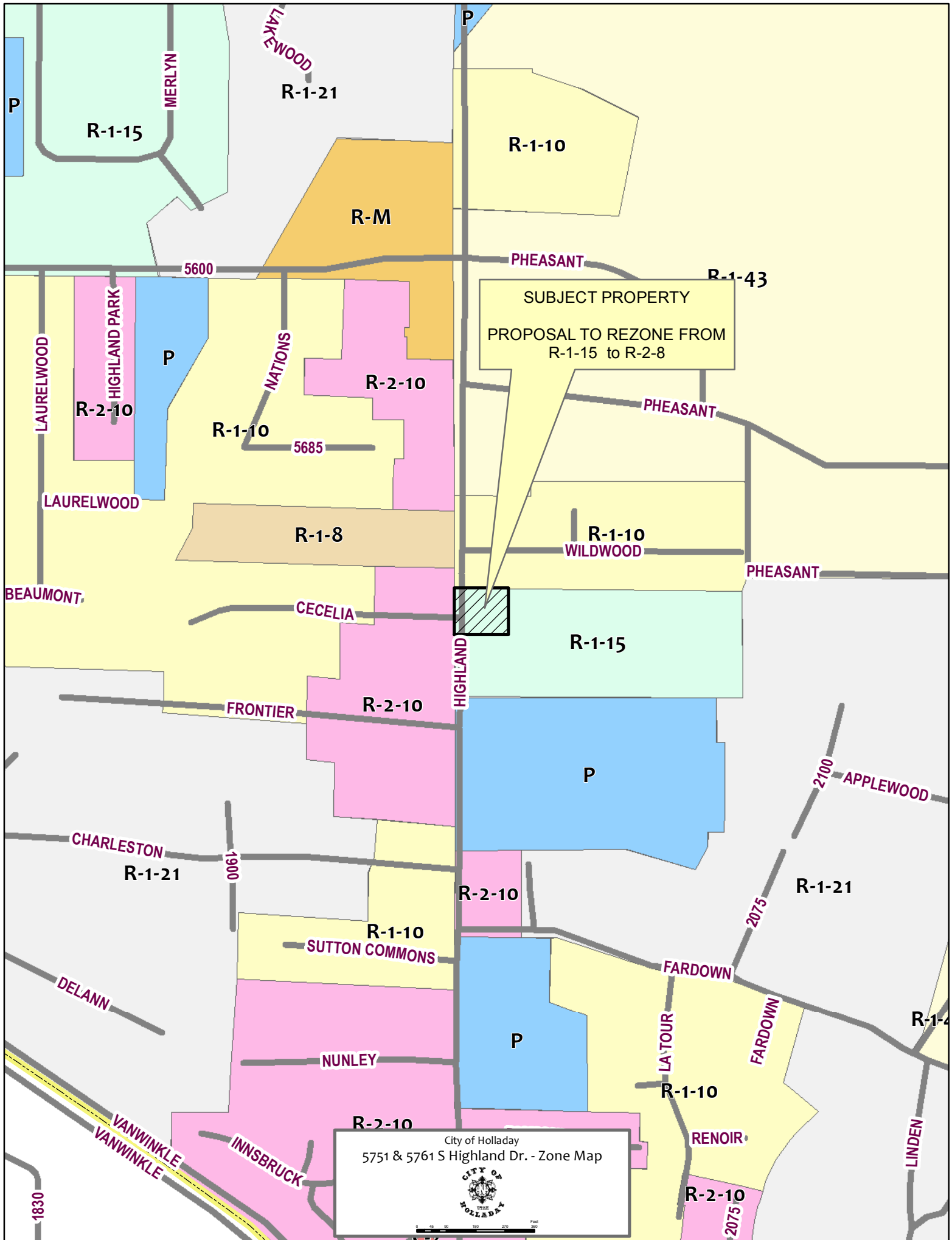
You are cordially invited to attend a public hearing to be held by the Holladay Planning Commission on **Tuesday, May 3<sup>th</sup>, 2016, as close to 7:00 pm** as possible in the Holladay City Council Chambers, 4580 S. 2300 E.

The Commission will take public comment regarding a proposal by Lamar Gatherum, to change the zone designation for properties located at 5751 & 5761 S Highland Dr. from R-1-15 (single family zoning) to the R-2-8 (Twin-home zoning). This proposal is similar to and in conjunction with a current application from Rob Reynolds who is requesting to rezone at property located at 1992 E Hedgewood Court.

Details regarding this proposal are available for public inspection in the City's Community Development Department, during regular business hours, 4580 S. 2300 E. Additional information may be obtained by contacting Jonathan Teerlink or Paul Allred, in Community Development Dept. at 801-527-3890 during regular business hours. Please see map on other side of this sheet showing the property in question.


Mailed today, the 22<sup>nd</sup> of April, 2016, to all property owners of record within 500 feet of this property.

**Map>>>>>**

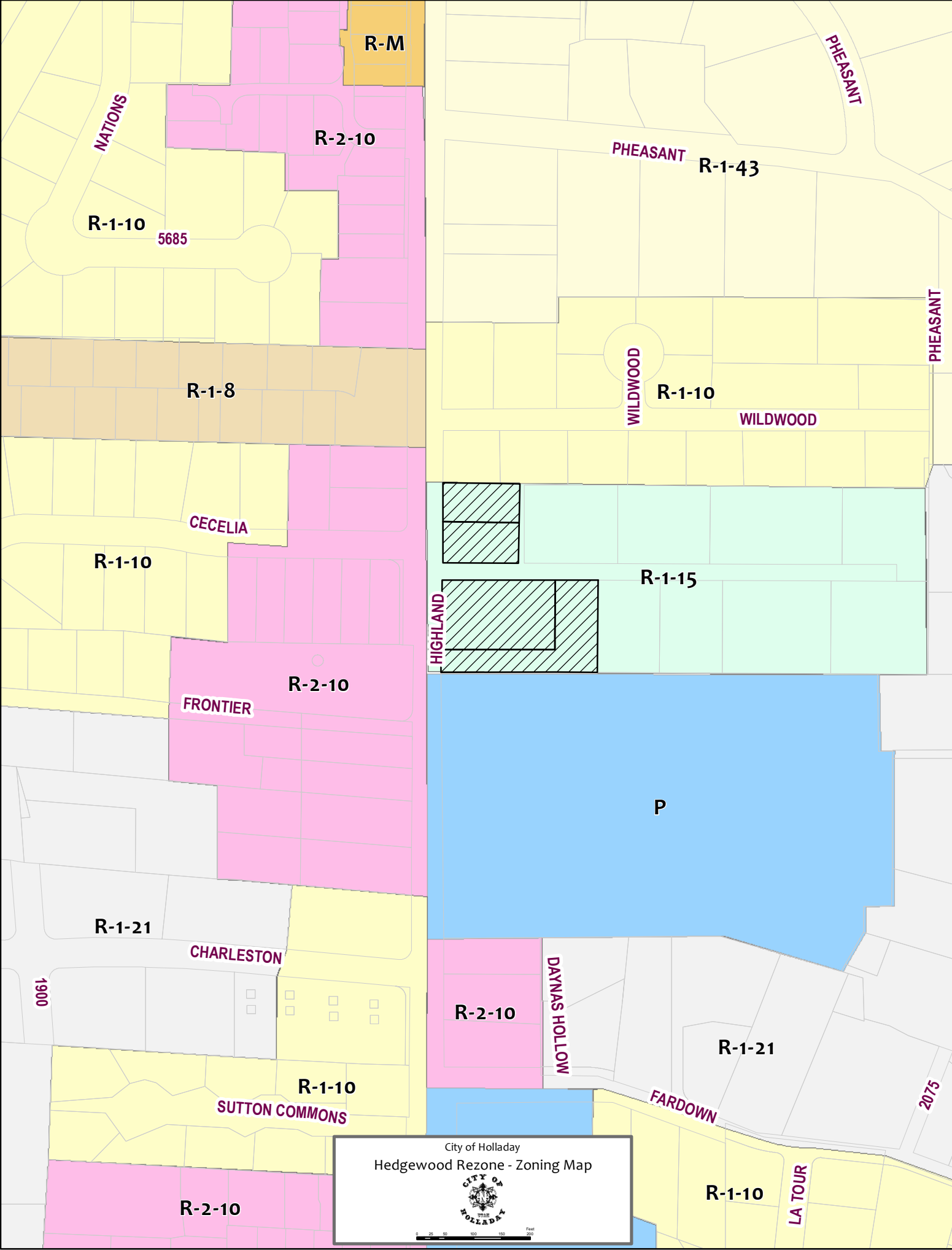


SUBJECT PROPERTY  
PROPOSAL TO REZONE FROM  
R-1-15 to R-2-8


City of Holladay  
5751 & 5761 S Highland Dr. - Zone Map



0 45 90 180 270 360 Feet

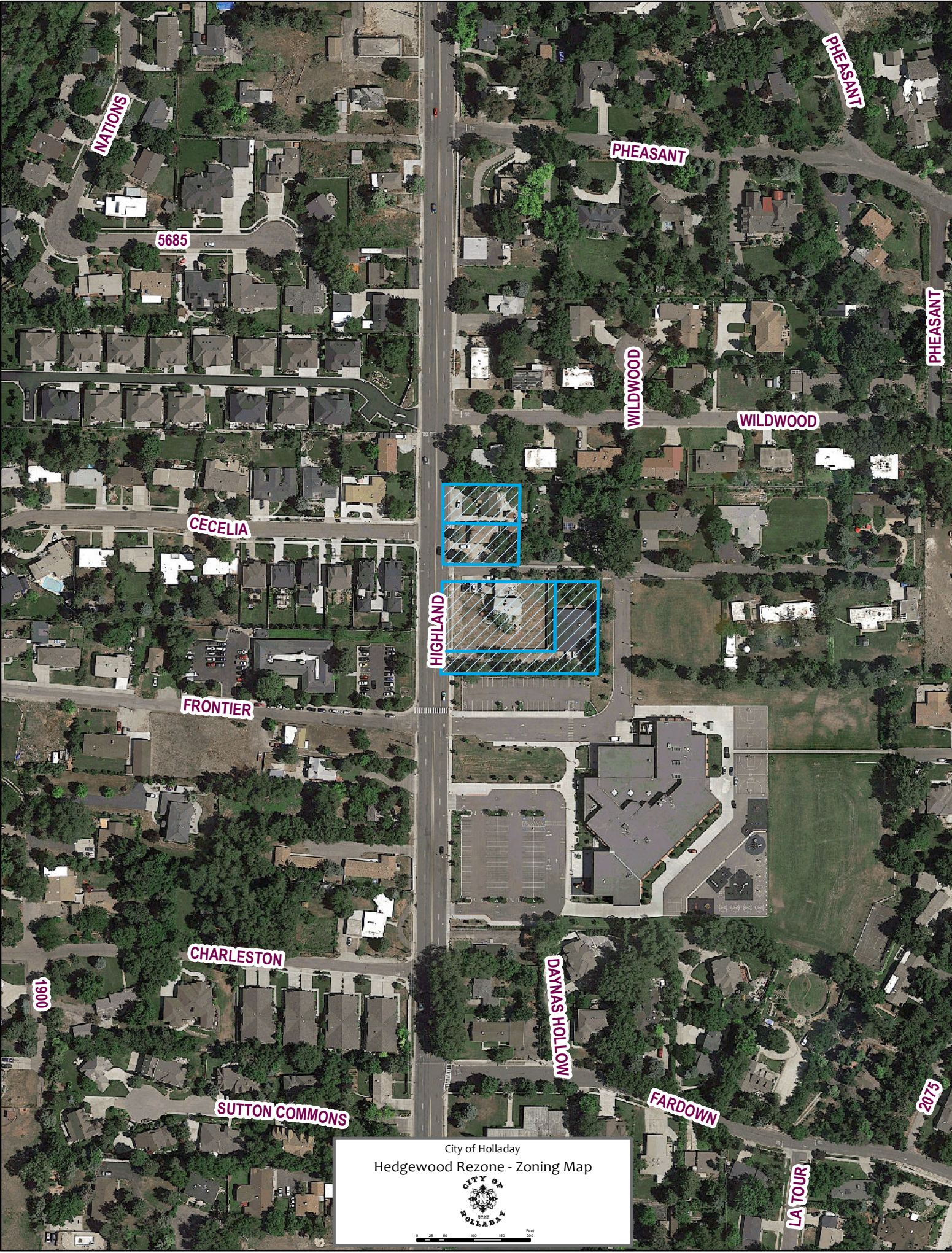


City of Holladay  
Hedgewood Rezone - Zoning Map



0 25 50 100 150 200 Feet



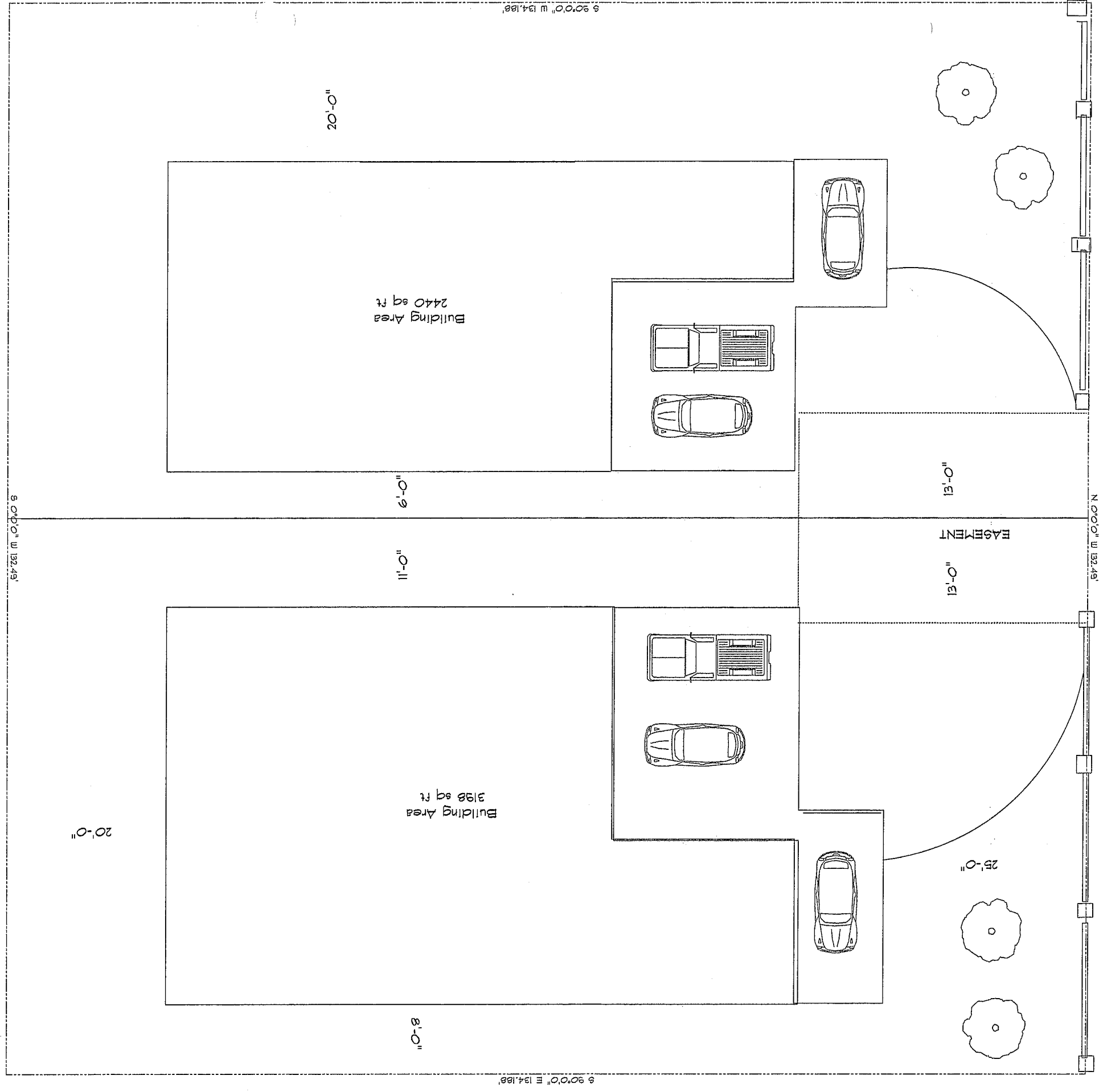
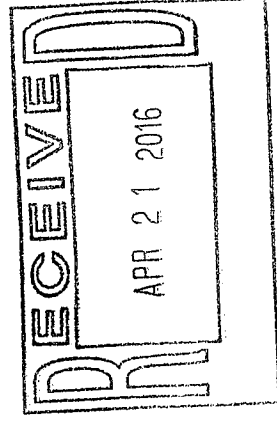


City of Holladay  
Hedgewood Rezone - Zoning Map



0 25 50 100 150 Feet





Discussion notes in reference to the rezoning of Lamar and Sara Gatherum property at 5751 and 5761 Highland Drive

In Attendance: Lamar and Sara Gatherum, Brent Chapman, Andrew Hegewald, Bernardo Flores

Telephone Conversation with Alan Brown, Cecelia Circle, positive response, no concerns

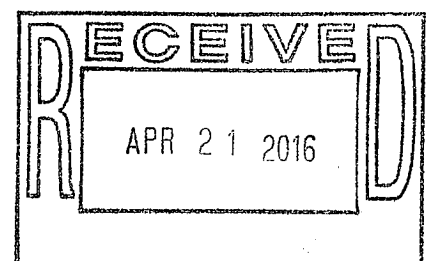
Our proposal was to have the zoning at our property changed to R2- 8, allowing for the development of 2 twin homes a total of 4 units, running North and South with entry to the garages from Hedgewood Court. As suggested in an earlier meeting we proposed to have Highland Drive not walled but buffered by an iron fence with shrubbery and landscaping. We discussed the cohesive look we could achieve by working in conjunction with the Renolds property to the South creating an attractive, unified anchor to Hedgewood Court and additional curb appeal on Highland Drive.

Mr. Flores stated that he had no problems with the re-zoning but took exception to the entry onto Hedgewood Court. He felt that cars waiting to turn onto Hedgewood Court from Highland Drive would cause congestion on Highland and with the busses on Hedgewood a "nightmare". He felt positive about the non-walled approach and suggested turning the entire project 90 degrees to allow for entry directly off of Highland.

Mr. Chapman was positive about our approach as outlined. He liked the cohesive approach to the two properties flanking Hedgewood Court. He also mentioned that by changing the entry to Highland, the properties become vulnerable not only to vehicle traffic but heavy foot traffic as well. He understood our concern for a continual boundary along Highland Drive and the adjoining sidewalk.

Andy Hegewald also commented that the properties, as situated now, are very "exposed". However, he was there in the capacity of his father, Rudy, and shared his feelings of no traffic onto Hedgewood. He asked that we hold off until July, when his dad returns.

Alan Brown, 1969 Cecelia, was unable to attend but telephoned Lamar to say he thought the whole project would be a positive improvement and wished us luck.



**DRAFT**

**MINUTES OF THE CITY OF HOLLADAY  
PLANNING COMMISSION MEETING**

**Wednesday, April 6, 2016**

**6:30 p.m.**

**Holladay Municipal Center  
4580 South 2300 East**

**ATTENDANCE:**

**Planning Commission Members:**

**City Staff:**

Matt Snow, Chair

Paul Allred, Community Development Director

Jan Bradshaw

Jonathan Teerlink, City Planner

Spence Bowthorpe

Jim Carter

John Garver

Marianne Ricks

**PRE-MEETING/WORK SESSION**

Chair Matt Snow called the meeting to order at 6:38 p.m.

The various agenda items were discussed. City Planner, Jonathan Teerlink, commented on the office proposal in the RM Zone and stated that all site plans go through a three-step process. Tonight the project was noticed for concept, site plan, the public hearing, and the conditional use permit for the office operation. It was reported that the drawings in the packet will not reflect the most recent proposal. It was noted that no neighborhood meeting was held, however, there would be two public hearings conducted. Mr. Teerlink stated that one call was received from the HOA President. Her only concern had to do with the maintenance of the road to be shared with the new property owner. Elevation changes to the property were discussed.

The Waldorf School rezone proposal was next discussed. Community Development Director, Paul Allred, reported that all schools, churches, utility sites, and parks are in the "P" Zone. If the school were not built there, it would have to be a public use or a zone change would have to be requested.

The Hedgewood Rezone was addressed along with possible options pertaining to fencing and zoning.

With regard to the permanent cosmetic conditional use, Mr. Teerlink reported that permanent cosmetics are allowed as an accessory use to a conditional use.

With regard to the Lincoln Woods subdivision, Mr. Teerlink referred to the list of requirements for the applicant to perform. He recommended that a Storm Drain Impact Fee be charged for storm

*City of Holladay Planning Commission Meeting – 4/6/2016*



1 water generated from the homes and driveways out to Lincoln Lane. There will be detention areas  
2 in the back that are large enough to retain water so that it does not cross the property. Mr.  
3 Teerlink indicated that a Storm Water Detention Plan is required during construction. The issue of  
4 a land survey not recorded with the County was addressed. Mr. Teerlink stated that it was  
5 recorded a few days ago. Curb, gutter, and sidewalk are also required to be shown on the plat.  
6

7 *Commissioner Bowthorpe moved to adjourn the pre-meeting and commence the regular*  
8 *meeting. Commissioner Bradshaw seconded the motion. The motion passed with the*  
9 *unanimous consent of the Commission.*

## 10 11 **CONVENE REGULAR MEETING**

### 12 **1. Welcome and Chair Opening Statement.**

13 Chair Snow called the Regular Meeting to order at 7:09 p.m.

14  
15 Those present were welcomed and the role of the Planning Commission was described.

16  
17 A Scout troop was present in the audience working on their Citizenship in the Community Merit  
18 Badge.

## 19 20 **ACTION ITEMS**

### 21 **2. Holladay Village Ordinance Amendments – Public Hearing.**

22 (19:11:39) City Planner, Jonathan Teerlink, presented the staff report and stated that the proposal  
23 is to address issues that have occurred in the Holladay Village Zone pertaining to process,  
24 procedure, and one land use issue. Three separate Code amendments were proposed as part of the  
25 text amendment. The first was a request from the City Council to include “dining clubs” as a type  
26 of liquor use in the Village Zone. The City Council proposed that a separation of the uses be  
27 completed via a 300-foot buffer. An applicant who would like his establishment to be considered  
28 as a dining club by the Drug and Alcohol Control Board (DACB) can apply for a license,  
29 however, the City of Holladay rules and regulations limit the separation of those types of uses to  
30 300 feet in the Holladay Village Zone.

31  
32 The second request was an issue of requiring a neighborhood meeting for all developments within  
33 the Village. The third was a housekeeping issue clarifying the entitlement process of a project  
34 going through the approvals required for development in the Village Zone. It is a lengthy process  
35 that includes the Planning Commission and Design Review Board. The text amendment will  
36 include a neighborhood meeting. It was clarified that all three items apply only to the Holladay  
37 Village.

38  
39 Chair Snow opened the public hearing. There were no public comments. The public hearing was  
40 closed.

41  
42 (19:19:23) Commissioner Carter expressed concern with establishing distance requirements for  
43 commercial uses in a commercial zone. He remarked that it defeats the purpose of having the  
44 commercial zone in the first place. He felt that the intent in the Holladay Village was to reach  
45 critical mass so that it becomes a destination that is attractive with a variety of things to do. With  
46 regard to off-site impacts, his sense was that it would be better to address them directly by

1 adjusting the hours of operation, light, and parking. He was not sure that the proposed limitation  
2 should be put in place in a commercial zone.

3  
4 Commissioner Ricks asked if there was a limit to the number of liquor licenses in the Holladay  
5 Village. Mr. Teerlink stated that a specific number is not explicitly noted. There are, however, a  
6 limited number of DACB licenses statewide. The proposal for limiting the number of licenses  
7 within the Village has not been proposed. He stated that currently there are five.

8  
9 (19:20:35) *Commissioner Carter moved to forward a favorable recommendation on the revision*  
10 *proposed to Section 13.03.020 pertaining to the requirement for neighborhood meetings and to*  
11 *Section 13.71.075, which addresses project approval procedures. Commissioner Bradshaw*  
12 *seconded the motion. Vote on motion: John Garver-Aye, Jan Bradshaw-Aye, Spence*  
13 *Bowthorpe-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Matt Snow-Aye. The motion passed*  
14 *unanimously.*

15  
16 The Commission continued their discussion of item number 1. Possible options were discussed.  
17 Commissioner Carter considered this to be the wrong tool. He thought there were better, more  
18 precise tools to use if the issue is off site impacts.

19  
20 (19:25:21) *Commissioner Carter moved to forward a negative recommendation with regard to*  
21 *the change to Section 13.100.010 Table of Allowed Uses. Commissioner Garver seconded the*  
22 *motion. Vote on motion: John Garver-Aye, Jan Bradshaw-Aye, Spence Bowthorpe-Aye,*  
23 *Marianne Ricks-Aye, Jim Carter-Aye, Matt Snow-Aye. The motion passed unanimously.*

24  
25 **3. Highland Offices, 4371 South Highland Drive – Conditional Use in the RM Zone –**  
26 **Public Hearing.**

27  
28 **4. Highland Offices, 4371 South Highland Drive – Conceptual Site Plan – Public**  
29 **Hearing.**

30 The above two issues were discussed together. Mr. Teerlink presented the staff report and stated  
31 that the applicant is proposing to redevelop a piece of property on Highland Drive located halfway  
32 between a private lane and a public road. The project is in the RM Zone, which is by definition a  
33 residential multi-family zone. It does, however, allow for limited office uses. It requires the  
34 Planning Commission to review not only the site plan for elements such as zoning, landscaping,  
35 and parking, but it requires that the use of the building be a conditional use. What is proposed is a  
36 short-term leasing operation. The building itself is intended to be a net zero or low energy usage  
37 building.

38  
39 Mr. Teerlink reported that the Technical Review Committee was primarily concerned with the on-  
40 site parking and the emergency access off of Kiera Court. The buffering requirements on the east  
41 side were discussed. Access will be through a permanent private lane easement that is 26 feet or  
42 greater, which is the minimum required for a building of this height for the Fire Department.  
43 Based on the leasable square footage of the offices, the applicant is proposing 14 stalls. Staff  
44 recommended approval of the request including criteria to ensure that the uses are compliant with  
45 the definition of Professional Office.

1 (19:33:40) The applicant, Amir Haskic, reported that there is a home on the site that was built in  
2 the 1930s. It did not make sense to renovate the property because it would be more costly than  
3 building something new. Over the last six to eight months they have analyzed the highest and best  
4 use of the property. In collaborating with the City they tried to maximize the space. They have  
5 downsized the building by nearly 3,700 feet and are proposing a new modern office use intended  
6 for small contractors or small businesses that can utilize the space when they need it. The building  
7 as a concept is new in the State of Utah and is net zero certified.

8  
9 Chair Snow opened the public hearing.

10  
11 (19:37:08) Jeaneen Chandler gave her address 1782 Kiera Court, which is the private street that  
12 the proposed building will front. She stated that they would have to turn into their only ingress  
13 and egress in order to enter the building. They have no way in and out of their complex and would  
14 have to share it with the additional traffic. She had concerns that she hoped could be addressed.  
15 Ms. Chandler asked how long the new owner has owned the building because there is an occupant  
16 who has lived there for some time and does not have trash removal. They use the complex's  
17 dumpsters and are not a good neighbor. They have been talked to several times but the problem  
18 has continued. Because there is only one occupant, they do not have a significant impact;  
19 however, they should provide for themselves rather than use the uses of the neighboring complex.

20  
21 Ms. Chandler reported that last year the HOA repaved the driveway and striped the asphalt. That  
22 expense is supposed to be shared between the two buildings, one of which belongs to the  
23 applicant, and the other buildings to the north and south, as well as their complex. Ms. Chandler  
24 stated that she has served on the HOA committee for about 10 years and they have never had  
25 assistance in that regard. They pay for all of the snow removal and maintenance of the private  
26 road. The other businesses, however, have reaped the rewards. She reported that 19 families live  
27 on the private road. Ms. Chandler stated that she spoke to Mr. Teerlink who indicated that there is  
28 no way for them to create their own driveway into their parking lot and they have to utilize the  
29 private road to gain access to the building. This was of concern to her.

30  
31 Ms. Chandler was worried about safety, the impact of new construction, demolishing the existing  
32 building, and strangers coming into their community. She asked what the applicant's plan was to  
33 offset costs and the potential negative impacts. Ms. Chandler asked if there is an escalation clause  
34 to address negative impacts to the neighborhood in the future. She was also concerned about the  
35 transitory nature of those inside the building. She stated that previously there have been  
36 despicable characters living in the home that concerned the neighbors. If the refuse container and  
37 ADA parking is placed on the east side, it will be directly in front of the front door of the end unit  
38 and will negatively impact their property value. She agreed that the property needs to be  
39 improved but questioned whether this is the right kind of improvement for the area. She asked  
40 what options the residents will have at a later date to address negative impacts.

41  
42 A question was raised about whether there were any agreements in place between the previous  
43 property owner and the HOA. Ms. Chandler stated that two previous owners of the property had  
44 an agreement with the HOA, which is managed by Western Management. They have, however,  
45 never been able to collect or have had any cooperation from those owners.



1 In response to a question raised, Ms. Chandler stated that she was not speaking on behalf of the  
2 HOA. She gave a history of Kiera Court was given.

3  
4 (19:46:35) Steve Good stated that he and his wife, Heidi Hilgendorf, reside at 1792 East Kiera  
5 Court and he serves on the HOA Committee as well. He supported the comments made by Ms.  
6 Chandler and expressed concern with the construction impact. He wanted to make sure that any  
7 damage done to the newly paved road during construction is repaired. He commented on  
8 increased traffic and recommended the entrance be gated.

9  
10 There were no further public comments. The public hearing was closed.

11  
12 (19:48:55) Mr. Haskic stated that as a new owner of the property, this is the first time he has heard  
13 the concerns of the neighbors. He stated that they are losing 15 feet of their property for the  
14 private road. They were not aware of any of the issues that exist and he agreed to address them.  
15 He explained that when they purchased the property they discovered that they do not have any  
16 trash collection. He called a few trash removal companies and found that they will not pick up  
17 and cannot enter into an agreement with them. They were working to resolve the problem.

18  
19 Road maintenance issues were discussed. Mr. Haskic stated that currently there are two temporary  
20 residents on the property. They want to resolve issues, however, the property has amenities that  
21 none of the other buildings have. For example, they are encouraging bike riding and public  
22 transportation. Due to restrictions on the site, they cannot add additional parking. In terms of the  
23 access, he stated that it is shared between his property and the property to the south. He has  
24 provided an easement that he pays taxes on. He was open to an agreement if the HOA wants to  
25 purchase it at which point they can share it. Mr. Haskic stated that he was open to a solution.

26  
27 In response to a question raised, Mr. Haskic expected the construction timeline to be three to four  
28 months. With regard to hours of operation, Mr. Haskic expected them to be regular business hours  
29 with occasional evening events. They will primarily offer commercial offices and if tenants need  
30 to meet with clients, there will be conference rooms available.

31  
32 (19:56:40) Commissioner Carter reviewed the property boundaries and found that the connection  
33 between Kiera Court and the residential area to Highland Drive appears to be split down the  
34 middle. He asked if anything would prevent the residents from constructing a gate on their  
35 property. Mr. Teerlink stated that that was not possible. The issues to be considered were fire  
36 access widths and whose property the gate is on.

37  
38 Ms. Chandler drew a diagram of the property and stated that the residents are not necessarily  
39 opposed to what is being proposed but they want to make sure it will not negatively impact them.

40  
41 Possible options were discussed. Mr. Teerlink stated that the RM Zone requires each individual  
42 project to have its own dumpster facility. He had never seen a cross-property arrangement that  
43 allows for the long-term use of another facility on another property. Commissioner Carter  
44 commented that the nature of a conditional use under Utah law is that it is assumed to be  
45 allowable with appropriate conditions. He questioned what off-site impacts may result from this

1 otherwise allowed use. Chair Snow commented that conditions could be placed on when the trash  
2 is picked up.

3  
4 A question was raised about the current square footage of the project. The applicant stated that  
5 before the change, the proposed building was 9,300 square feet. It is now proposed at 5,600  
6 square feet.

7  
8 Chair Snow suggested that a condition be added governing when trash can be collected.

9  
10 Commissioner Garver liked what was happening on the County side of Highland Drive and  
11 encouraged the applicant to mimic that. He liked the project from an aesthetic standpoint.

12  
13 Commissioner Carter suggested the Commission specifically address a waste management plan.  
14 He recommended that not be considered now since the specifics are very sensitive given the  
15 proximity to the residences. The possibility of a gate was discussed as well as signage.  
16 Ms. Chandler stated that the residences cannot afford to put in a gate.

17  
18 The applicant described the proposed business concept for those who run virtual offices.

19  
20 (20:14:23) *Commissioner Garver moved to approve a conditional use permit for property*  
21 *located at 4371 South Highland Drive subject to the following:*

22  
23 ***Findings:***

- 24  
25 *a. The use is an allowed use in the RM Zone with applicable and appropriate conditions.*  
26  
27 *b. The use is compatible with abutting and adjacent uses within the same and similar*  
28 *zones.*  
29  
30 *c. The use is not detrimental to the health, safety, and welfare, of the public.*  
31  
32 *d. The vehicular access is compatible with adjacent properties.*  
33

34 ***Conditions:***

- 35  
36 *a. The use is limited to professional services space as per City of Holladay definitions.*  
37  
38 *b. The professional office uses are limited to normal business operation hours – limiting*  
39 *traffic to peak hours.*  
40  
41 *c. Site lighting shall be installed and maintained as unobtrusive to abutting residential*  
42 *uses.*  
43  
44 *d. The proposed 14 parking stalls are at best minimal. Parking must be maintained and*  
45 *available as off-street parking for employees and patrons at this site. Additionally, off-*

1 *site parking arrangements are required and must be perpetually maintained with*  
2 *abutting property owner(s) to accommodate overflow conditions.*

3  
4 *e. Installation and maintenance of landscaping in all setback areas including buffering*  
5 *along abutting residential uses.*

6  
7 *f. Amendments to this permit, and/or changes in interior uses are subject to review and*  
8 *approval consideration by the Planning Commission.*

9  
10 *Commissioner Bradshaw seconded the motion. Vote on motion: John Garver-Aye, Jan*  
11 *Bradshaw-Aye, Spence Bowthorpe-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Matt Snow-Aye.*  
12 *The motion passed unanimously.*

13  
14 Janie Mills, from Architectural Nexus, presented the concept plan and described the site  
15 circulation. She explained that all of the parking will be on street level and accessed from Kiera  
16 Court into the parking spaces. There are 14 parking stalls proposed along Kiera Court, 11 of  
17 which will be under the second level of the building. The existing home on the site will be  
18 demolished. They will try to save the brick to use on the new building. The design has a goal of  
19 being net zero and the lights in the office building will remain off for at least four hours per day.  
20 In terms of office hours, they are working with the applicant on lease agreements because it is to  
21 the benefit of the business for tenants to not work late as it would use too much energy.

22  
23 Landscaping was proposed all around the west, north, and east sides of the structure. Upon  
24 entering there will be a lobby with a small conference room. Most of the offices and remaining  
25 conference rooms will be on the second floor. Screening of the dumpster would involve a wooden  
26 fence. Ms. Mills agreed to look into the screening stipulations per the zone and make sure that it  
27 complies. Chair Snow commented that there is a tendency for a wood fence to get damaged by the  
28 trucks collecting the trash and may not be durable enough. Mr. Haskic recommended a six-foot  
29 vinyl fence be utilized to screen the dumpster, which would be near the building entrance.  
30 Because of its location it would be in the applicant's best interest to keep the dumpster looking  
31 nice.

32  
33 With regard to landscaping, Ms. Mills stated that they are increasing the amount of pervious  
34 surface and will be using xeriscaping techniques to accomplish that.

35  
36 (20:20:46) Chair Snow opened the public hearing.

37  
38 A question was raised about the physical footprint of the building. The roof pitch and other  
39 aspects of the building were also discussed.

40  
41 Jeaneen Chandler asked about the distance from the front door to the dumpster. Mr. Haskic  
42 estimated it to be 15 feet. He stated that there are setbacks they must to adhere to. Ms. Chandler  
43 identified the shared common area and stated that the result will be to put the business right next  
44 to someone's front door.

45  
46 There were no further public comments. The public hearing was closed.



(20:27:53) *Commissioner Bowthorpe moved to approve the conceptual site plan for the professional office building located at 4371 South Highland Drive based on the following:*

***Findings:***

- a. The proposal replaces and upgrades an existing land use.*
- b. The proposed project has been reviewed by the TRC who has found that the project meets the requirements of a Conceptual Site Plan for an office building in the RM Zone including demonstration by the applicant of compliance with minimum parking standards for the building.*
- c. This application is consistent with existing land use patterns in the general vicinity.*
- d. The UFA has reviewed and given preliminary approval of the emergency access.*
- e. Utility service exists and is proposed to be continued.*
- f. The proposed use is in harmony with the Holladay General Plan.*

***Conditions:***

- a. A preliminary site plan must be submitted to the TRC for review and recommendation.*
- b. The preliminary site plan must return to the Planning Commission for review and approval.*

*Commissioner Carter made a friendly amendment to make it clear that they are looking for more detail and to address issues with regard to buffering from adjacent uses. The dumpster seems to be a major concern as does traffic and ingress and egress into the residential area. It was recommended that design considerations and solutions can be proposed that address or mitigate those issues to the extent possible including signage, vegetative buffering, etc.*

*Commissioner Ricks seconded the motion. Vote on motion: John Garver-Aye, Jan Bradshaw-Aye, Spence Bowthorpe-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Matt Snow-Aye. The motion passed unanimously.*

*Chair Snow moved to take a three-minute recess. Commissioner Garver seconded the motion. The motion passed with the unanimous consent of the Commission.*

The Commission took a short recess.

1     **5.     Wasatch Waldorf School Rezone Proposal – (R-1-10 to Public, “P”), 1458 East**  
2     **Murray Holladay Road – Public Hearing.**

3     (20:36:00) Mr. Teerlink presented the staff report and stated that the site plan has been approved  
4     and construction is underway. The current R-1-10 zoning is misleading and should be changed to  
5     reflect the school use. Normally a school would not be allowed in the zone but state law regarding  
6     charter schools allows them as a required use in all zones. The applicant voluntarily agreed to  
7     request a rezone to fit in the overall land uses.

8  
9     Chair Snow opened the public hearing.

10  
11     (20:38:40) Michael Wright from Waldorf Landholding, LLC, concurred with staff’s  
12     recommendation and recognized that it makes sense to have continuity throughout the City.

13  
14     Bob Scott reported that he lives immediately behind the subject property and has lived there for 50  
15     years. He found it interesting that someone can begin constructing a building before a zone  
16     change is made. He and several residents were concerned about retention. He stated that when  
17     the retention park was built, it was constructed according to the specifications required to be a  
18     retention park. Over the last few weeks there has been a significant amount of land removed from  
19     the west side of the retention park along with several trees. That seemed to be contrary to the  
20     ordinance that requires the retention park. They were concerned about how far that is going to go.

21  
22     Community Development Director, Paul Allred, reported that the area referred to is owned by Salt  
23     Lake County and is a Salt Lake County Flood Control Project. Neither the school nor the City had  
24     anything to do with the removal of dirt or trees. A few days ago a letter was sent to 200 homes  
25     explaining the situation. Salt Lake County informed staff that the trees over time weaken the hill  
26     and draw water into the hill and destabilize the structural integrity of the dam. The County is  
27     removing the trees because the trees are hurting the dam’s ability to hold back water.

28  
29     Mr. Allred clarified that the City has no control over the zoning of the school. The state has ruled  
30     that a charter school can go anywhere in the City in any zone.

31  
32     There were no further public comments. The public hearing was closed.

33  
34     (20:46:00) *Commissioner Bowthorpe moved to forward a positive recommendation to the City*  
35     *Council on approval of the zoning change and rezone of 3.18 acres from R-1-10 to Public “P”*  
36     *Zone for the Wasatch Waldorf School Site. Approval was subject to the following:*

37  
38     ***Findings:***

- 39  
40         1. *This land is improperly zoned at this time and should be rezoned to reflect the actual*  
41         *future use.*  
42  
43         2. *The current zone, R-1-10, was not a good choice for this location, in staff’s estimation,*  
44         *to begin with.*  
45  
46         3. *Because the State of Utah requires cities to allow this use as permitted in any zone.*

- 1  
2 4. *Changing the zone to “P” will align the zoning of this land with other similar uses in*  
3 *Holladay.*  
4  
5 5. *To the extent possible, the school has already been designed to comply with as many of*  
6 *the “P” zone regulations as possible.*  
7  
8 6. *By changing the zone and removing the R-1 zone in place now, if the school is*  
9 *abandoned or discontinued, the land will not be able to be used for a different non-*  
10 *public use without first going through a rezone process.*  
11

12 *Commissioner Carter seconded the motion. Vote on motion: John Garver-Aye, Jan Bradshaw-*  
13 *Aye, Spence Bowthorpe-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Matt Snow-Aye. The*  
14 *motion passed unanimously.*  
15

16 6. **Hedgewood Rezone Proposal (R-1-15 to R-2-8), 1992 East Hedgewood, 5751-5761**  
17 **South Highland Drive – Public Hearing.**

18 (20:46:52) Mr. Allred presented the staff report and stated that the property was formerly owned  
19 by Burt Carson. Mr. Carson requested a zone to RO last year, which the Council denied. The  
20 request is for a rezone to R-2-8, which is attached multi-family or detached single-family on small  
21 lots. The request is for twin homes. Lamar Gatherum owns property directly to the north of the  
22 subject property that is approximately .4-acre in size. The subject property is about .49 acres.  
23 Together the two parcel total about .9-acre. Mr. Gatherum signed an affidavit joining the rezone  
24 petition but technically he did not think the Commission could act on his part tonight. Only the  
25 Reynolds property was noticed for tonight’s meeting and the neighborhood meeting. Mr.  
26 Gatherum would need to hold a neighborhood meeting unless the Planning Commission feels that  
27 tonight’s hearing is sufficient. Mr. Allred reported that the neighbor to the east, Mr. Parker, also is  
28 in a similar situation and would like to have his property zoned R-2-8.  
29

30 Mr. Allred explained that the Highland Drive Master Plan is the General Plan section that deals  
31 with land use in the area. He asked if the Planning Commission wants to consider making a  
32 recommendation to allow the property owners to have more than one home on the properties. The  
33 burden was on the applicants to make their case that R-2-8 should be considered in this location.  
34

35 The applicant, Rob Reynolds, gave his address as 2115 Walker Lane and stated that he is a long-  
36 term Holladay resident. He acquired the property for his family to have a place to live. His  
37 interest is in high quality construction. The proposed structures were discussed. Mr. Reynolds  
38 was fine with R-2-10 or R-2-8 zoning and conforms to either. He intends to construct two twin  
39 homes that will face each other, for a total of four units.  
40

41 Mr. Allred asked about the materials proposed for the back of the house. Mr. Reynolds stated that  
42 the main floor will be brick or masonry. The partial second floor will be to the back and he may  
43 go with a hardy board type of material.  
44

45 (20:59:00) Chair Snow opened the public hearing.  
46



1 Bernardo Sahagun gave his address as 2044 East Hedgewood Court. He asked to see the proposed  
2 site plan and the location of the entrance to the project. Mr. Reynolds responded that the access  
3 will be to the front portion of the property. Mr. Sahagun stated that they are the newest residents  
4 of Hedgewood Court and his understanding was that the road is private. He questioned whether  
5 Mr. Reynolds has the right to gain access through Hedgewood Court. Mr. Reynolds stated that he  
6 researched the issue before he purchased the property and according to the title, he has access as it  
7 has always existed. Mr. Sahagun was concerned about the potential impact on property values.  
8 He commented that what is proposed doubles the density and he saw no reason to allow four units  
9 on the property instead of two. He also stated that there are several mature trees that face  
10 Hedgewood Court that will need to be removed to allow for a driveway. Mr. Reynolds stated that  
11 he was saddened that trees were removed from the front of the property before he acquired it. The  
12 only trees on the lot exist between the garage and the road. The garage sits on the property line so  
13 they will ultimately have three times the amount of ground between Hedgewood and the homes as  
14 currently exists. In the end there will be more trees and not less.

15  
16 Mr. Sahagun asked Mr. Reynolds if it would be possible to rotate the units with an access east and  
17 west to avoid using Hedgewood Court. Mr. Reynolds stated that a professional residential  
18 property should not face Highland Drive. The desire was to buffer Highland Drive from noise.  
19 Mr. Sahagun's main issue was the density proposed. He saw no benefit other than economic  
20 benefit for Mr. Reynolds. Mr. Reynolds disagreed that the neighboring property values will be  
21 negatively impacted. He stated that any one of the four homes will exceed the value of the homes  
22 to the east.

23  
24 (21:07:59) Dana Williamson gave her address as 2044 East Hedgewood Court. She expressed  
25 concern with the precedent that will be set and the increased density. She believed that what is  
26 proposed will represent a huge lifestyle and property value change that she was not in favor of.

27  
28 There were no further public comments. The public hearing was closed.

29  
30 Mr. Reynolds commented on the setbacks and access of surrounding properties.

31  
32 Chair Snow was concerned about walling off the City. The concrete wall proposed along  
33 Highland Drive was of concern to him. He stated that it could be addressed at the conceptual site  
34 plan stage. He commented on what Ivory Homes has done with smaller homes near Olympus  
35 High School and stated that that is similar to what is envisioned.

36  
37 Commissioner Ricks was concerned that what is proposed is the least desirable density. She had  
38 not heard a compelling argument for it. She did not feel it was in keeping with the neighborhood.

39  
40 Commissioner Carter commented that he participated in the Highland Drive Master Plan  
41 discussions and there was a strong sense that on the west side of Highland Drive certain things are  
42 acceptable and on the east side those same things might not be. He had difficulty grasping that  
43 concept because it seemed that residential properties on Highland Drive are similarly situated in  
44 terms of impact, noise, and desirability. He tended to be sympathetic to slightly higher densities  
45 adjacent to arterials in order to maintain the residential uses. He did, however, share the  
46 neighbors' concerns that they not have creeping twin homes taking over what has been

1 traditionally single-family residential detached neighborhoods. Commissioner Carter felt that  
2 when a property abuts Highland Drive, higher intensity residential uses could work. He was,  
3 however, sensitive to the feelings of the neighbors and was generally inclined to think that two  
4 twin homes on one-half acre is a bad idea given that they abut Highland Drive. He was sensitive  
5 to access concerns but it seemed like they would not come up Hedgewood any further than about  
6 one-half the depth of the lot.

7  
8 (21:14:35) Chair Snow recalled an area further north on the west side of Highland Drive where  
9 there were two residential developments within a few months of each other but the developers did  
10 not work well together. If they had cooperated they could have built a nice community. In this  
11 case, since there are three property owners who are considering development, perhaps they could  
12 be encouraged to come together with a master plan for one community.

13  
14 Commissioner Garver commented that there is nothing preventing Mr. Reynolds from selling the  
15 property once he is granted the zone change. The result could be a situation where the architecture  
16 may not be what is envisioned. For that reason, he was opposed to granting the rezone.

17  
18 Mr. Allred stated that in the past the Planning Commission has, on at least one occasion, made a  
19 recommendation with a rider statement attached to it. If that is of concern and the Planning  
20 Commission likes the development plan, they could indicate that they would only be in favor of  
21 rezoning if it was this quality of construction and configuration.

22  
23 (21:19:44) *Commissioner Carter moved to forward a positive recommendation with a list of*  
24 *caveats that include the proposed rezone and that higher intensity could only work given*  
25 *appropriate site design, buffering from existing uses, and ingress and egress to the units is*  
26 *spelled out in such a way that it does not adversely affect the Hedgewood residents. Approval*  
27 *was also subject to the finding that R2 is called out in the General Plan as potentially*  
28 *appropriate zone for properties abutting Highland Drive.*

29  
30 Commissioner Snow was in favor of seeing all of the properties rezoned as one development.

31  
32 Mr. Teerlink recommended the Commission address the extra property owners who want to be  
33 included in the application.

34  
35 *Commissioner Carter amended his motion to specify that it relates only to the Reynolds parcel.*  
36 *A determination on the other parcels is not correct procedurally because of the lack of a specific*  
37 *conversation with the neighborhood. Commissioner Bradshaw seconded the motion. Vote on*  
38 *motion: John Garver-Nay, Jan Bradshaw-Aye, Spence Bowthorpe-Aye, Marianne Ricks-Nay,*  
39 *Jim Carter-Aye, Matt Snow-Aye. The motion passed 4-to-2.*

40  
41 **7. Christensen Permanent Cosmetics, 2180 East 4500 South “Medical Village” –**  
42 **Conditional Use in RM Zone – Public Hearing.**

43 (21:26:25) Mr. Teerink presented the staff report and stated that the applicant is ready to open her  
44 own business. He explained that the RM zone allows for permanent cosmetics as an accessory use  
45 to permitted conditional uses. When permanent cosmetics was introduced into the ordinance, it  
46 was relatively new. It is accessory because it was a reactive position from the City Council to

1 place it as an accessory to a permitted or conditional use thinking that it would become a tattoo  
2 parlor. They wanted it to be more associated with beauty salons and estheticians. Over time, they  
3 realized that that is not the case and it has been more widely accepted among dermatologists and  
4 estheticians. He commented on the proposed location in the medical village and stated that as a  
5 whole it is operating under a conditional use from Salt Lake County. As a result, staff was  
6 comfortable having it as an accessory use to the larger conditional use of the medical village.  
7 Staff recommended approval.  
8

9 The applicant, Melissa Christensen, reported that her studio is approximately 150 square feet. It  
10 used to be a pediatrician's office and she is renting one single private room in the office. The door  
11 closes and there is a sink for her use. Inspection of the site is required by the Health Department  
12 but the applicant does not need to be licensed. Ms. Christensen's background was described. She  
13 began her career in health care when she was about 15 and has done nursing home care, home  
14 health, and CNA work. The procedures she plans to offer are eyebrows, eyeliner, and lips. She is,  
15 however, looking to continue training and working on nipple and areola reconstruction and scar  
16 reduction for women who have had mastectomies, which is also known as medical tattooing.  
17

18 Chair Snow opened the public hearing. There were no public comments. The public hearing was  
19 closed.  
20

21 Commissioner Bradshaw asked Ms. Christensen what kind of liability insurance she is required to  
22 carry. Ms. Christensen stated that she is not required to carry any insurance but she intends to.  
23

24 *(21:34:29) Commissioner Bradshaw moved to approve a conditional use permit for Christensen*  
25 *Permanent Cosmetics located at 2180 East 4500 South in the Medical Village. Commissioner*  
26 *Ricks seconded the motion. Vote on motion: John Garver-Aye, Jan Bradshaw-Aye, Spence*  
27 *Bowthorpe-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Matt Snow-Aye. The motion passed*  
28 *unanimously.*  
29

30 **8. Lincoln Woods Subdivision, 2021 East and 1985 East Lincoln Lane – Final Plat.**

31 (21:36:24) Mr. Teerlink presented the staff report and stated that the Planning Commission  
32 requested that the final plat come back with conditions. The applicant, Greg Kennard, has met all  
33 but two of the requirements, which are circumstantial. Staff believed the applicant has met the  
34 pre-set criterion from the Planning Commission. Additionally, the applicant has worked with his  
35 land surveyor to produce a final plat, which is not typical. Staff recommended approval subject to  
36 the findings and conditions set forth in the staff report.  
37

38 Mr. Kennard commented on the lack of curb and gutter on the third property and stated that he  
39 recently made the decision to raze the home and construct a rambler in its place.  
40

41 *(21:43:53) Commissioner Bowthorpe moved to approve the final plat for the Lincoln Woods*  
42 *three-lot single-family residential subdivision at 1985 East and 2021 East Lincoln Lane subject*  
43 *to the following:*  
44

1 **Findings:**

- 2
- 3 1. *Concept and preliminary plat approvals have been given by Holladay Planning*
- 4 *Commission.*
- 5
- 6 2. *The subdivision meets minimum standards of the R-1-15 Zone.*
- 7
- 8 3. *The new home can be serviced by existing utility providers.*
- 9
- 10 4. *The project meets the road dedication requirements needed for public safety and traffic*
- 11 *flow.*
- 12
- 13 5. *The proposal is compliant with the Holladay Zoning Ordinance and General Plan*
- 14 *guidelines for infill development.*
- 15

16 **Conditions:**

- 17
- 18 1. *The plat shall be submitted to the TRC on Mylar material for final review as to form and*
- 19 *final approval of signatures.*
- 20
- 21 2. *To avert possible damage during home construction, the off-site improvements including*
- 22 *approaches and sidewalk, in line with curb and gutter, shall be required in front of each*
- 23 *lot prior to home occupancy.*
- 24

25 *Commissioner Bradshaw seconded the motion. Vote on motion: John Garver-Aye, Jan*

26 *Bradshaw-Aye, Spence Bowthorpe-Aye, Marianne Ricks-Aye, Jim Carter-Aye, Matt Snow-Aye.*

27 *The motion passed unanimously.*

28

29 **9. 2016 Minutes – February 2, 16, and March 15.**

30 (21:46:20) *Commissioner Garver moved to continue approval of the meeting minutes to the next*

31 *meeting. Commissioner Carter seconded the motion. The motion passed with the unanimous*

32 *consent of the Commission.*

33

34 **OTHER BUSINESS**

35 (21:47:39) Mr. Allred reported that the Open House was very successful on the Highland and

36 VanWinkle Intersection Study and more people came than to the first open house. The

37 consultants still need to develop an economic review of the area around the intersection. The

38 intent was to not only look at transportation and safety, but land use and using the ET Plus

39 software.

40

41 ) **General Plan Adoption Update.**

42 Mr. Allred reported that the Council is finished with the General Plan chapters. Staff will now

43 incorporate the comments and re-review the entire document. He expected the General Plan to be

44 ready for adoption in June or July.

45

46 ) **Report from Staff on Upcoming Applications.**

*City of Holladay Planning Commission Meeting – 4/6/2016*

1 A question was raised about the Cottonwood Mall property. Mr. Allred stated that sometimes  
2 rumors are accurate and people in the community often know things before the City does. He  
3 reported that Smith's and Ivory homes continue to be interested in the property. The possibility of  
4 the property being divided into smaller projects was discussed. Presently, Mr. Allred stated that  
5 there has not been much discussion from Howard Hughes and the area is still shown as a  
6 commercial center.

7  
8 Mr. Allred reported that the property owners want to rezone the other half of the property where  
9 the community garden is on Murray Holladay Road in the Village. It is .9-acre but only half of it  
10 is zoned HV. The applicants want to propose a high-density residential project across from Ken  
11 Bell's project but with a much higher density.

12  
13 Mr. Allred indicated that City Manager, Randy Fitts, is retiring on June 16. The City Council will  
14 choose his successor.

15  
16 Mr. Allred stated that the park is enjoyed by the community and is heavily used.

17  
18 Mr. Allred reported that he receives numerous comments from people outside the City on the  
19 Soho Food Truck Court and the Village. He commented that on Saturday mornings there will be a  
20 farmers' market on the Plaza.

21  
22 ) **Discussion of Future Possible Amendments to Code.**

23  
24 **ADJOURN**

25 (21:57:30) *Commissioner Garver moved to adjourn. The motion passed with the unanimous*  
26 *consent of the Commission.*

27  
28 The Planning Commission Meeting adjourned at 9:59 p.m.  
29



1 *I hereby certify that the foregoing represents a true, accurate and complete record of the City of*  
2 *Holladay Planning Commission Meeting held Wednesday, April 6, 2016.*  
3  
4  
5

6  
7   
8  
9

10 Teri Forbes  
11 T Forbes Group  
12 Minutes Secretary  
13

14 Minutes approved:  
15

**DRAFT**

# LAMAR GATHERUM – NEIGHBORHOOD MEETING

## PLEASE SIGN IN

**Date: FRIDAY, APRIL 15, 2016**

[illegible]